

REMARKS/ARGUMENTS

Responsive to the Official Action mailed September 7, 2006, applicants have amended the claims of their application in an earnest effort to place this case in condition for allowance. Specifically, claims 2 and 7 have been cancelled, and claims 1, 3, 4, 8, 10, and 11 amended. Reconsideration is respectfully requested.

In accordance with the Examiner's helpful suggestions, claims 1, 3, 4, 8, 10, and 11 have been revised.

In the Action, the Examiner rejected the pending claims under 35 U.S.C. §112. Claim 1 has been revised as suggested by the Examiner, and claims 3 and 4 amended to specify that *each* of the recited nonwoven webs exhibits the recited structural characteristics. Claim 7 has been cancelled, and claim 8 has been revised to specify that the second nonwoven web is calendered to the associated film "at a temperature in a range at which the film melts".

Claim 11 has been revised to clarify that the laminated fabric is tensioned after *each* nonwoven web is attached to the associated elastic layer.

In the Action, the Examiner has rejected the pending claims under 35 U.S.C. §103, with reliance upon U.S. Patent No. 5,567,501, to Srinivasan et al. in view of U.S. Patent No. 5,804,286, to Quantrille et al. However, this rejection is respectfully traversed.

The Srinivasan et al. reference is understood to *teach away* from the present invention, since Srinivasan et al. teaches unwinding all three layers from unwind stations to assemble the laminate (see Figure 2, column 2, lines 66-67, and column 3, lines 1-2).

The Quantrille et al. reference is also understood to teach away from the present invention. Quantrille et al. is not understood to teach direct extrusion of the extensible web onto

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the non-elastic extensible web, but rather appears to teach assembling two layers by unwinding two individual supply rolls (see column 9, lines 31-38). The newly amended claim 1 requires the elastic film composition to be *directly extruded* onto a first, relaxed, untensioned web. This method does not appear to be taught or suggested by either reference.

In view of the foregoing, formal allowance of claims 1, 3-6, and 8-11 is believed to be in order and is respectfully solicited. Should the Examiner wish to speak with applicants' attorneys, they may be reached at the number indicated below.

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this submission to Deposit Account No. 23-0785.

Respectfully submitted,

By



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CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **January 22, 2007**.

